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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/374,694    08/16/99    DHARAP    C    23737

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TM02/0605

EXAMINER

VERBRUGGE, K

ART UNIT

PAPER NUMBER

2185

DATE MAILED:

06/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

*See attached non-final office action.*

# Office Action Summary

Application No.  
09/374,694

Applicant(s)  
Dharap

Examiner  
Kevin Verbrugge

Art Unit  
2185



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on Aug 16, 1999

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-20 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-20 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements.

## Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some\* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-20 are rejected under 35 U.S.C. 102(a) as being anticipated by the admitted prior art of pages 1 and 2 of the specification.

Regarding claims 1, 7, 10-15, and 20, in the paragraph bridging pages 1 and 2 of the specification, Applicant admits that it was known to receive a copy of an information resource (image or text) from a remote source (web site on the internet)

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and to cache the copy of the information in dependence upon a semantic type associated with the resource (whether it is an image or text). Applicant admits that it was known to treat images and text differently when he says that "a cache controller for caching information downloaded from the internet may retain downloaded image information for a longer average duration than downloaded text information."

Regarding claim 2, the known caching is at least one of the claimed types.

Regarding claims 3 and 4, in the admitted prior art system, a user requests data from an internet site as claimed, and the semantic type may be determined from the request since it is a request to reload an image or some text.

Regarding claims 5 and 16, the semantic type is based on the content of the resource (image/text).

Regarding claims 6, 9, 18, and 19, the remote source is an internet site as claimed, available via an internet service provider.

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Regarding claim 8, the image/text serves as the claimed indication.

Regarding claim 17, the internet is the claimed database, comprising indexes of images and text.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-5, 7, 8, 10, and 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,061,763 to Rubin et al., hereinafter simply Rubin.

Regarding claims 1, 7, 8, 10, and 12-17, Rubin teaches a memory management system employing multiple buffer caches. Specifically, he teaches a method of processing an information resource comprising receiving a copy of the information resource (data object) from a remote source (~~storage devices~~ storage

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devices 214, 216, and 218 in Fig. 4) and caching the copy of the information resource (in buffer caches 224 and 222) in dependence upon a semantic type (predefined or predetermined criteria) associated with the resource. He shows this in Fig. 4 and describes it at column 2, lines 25-56 and column 8, lines 13-64.

Regarding claim 2, Rubin's is static.

Regarding claims 3 and 4 , Rubin's device determines the semantic type based on a request from the user as taught at column 2, lines 46-49.

Regarding claim 5, Rubin's semantic types are determined based on the content of the resource, as indicated in Fig. 4 (buffer cache 224 is for data about employees while buffer cache 222 is for all other data).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior

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art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6, 9, 11, and 18-20 are rejected under 35

U.S.C. 103(a) as being unpatentable over U.S. Patent 6,061,763 to Rubin et al., hereinafter simply Rubin.

Regarding claims 6, 9, and 18-20, Rubin does not teach that his storage devices comprise an internet web site, however it would have been obvious to one skilled in the art to implement his storage devices on a web site since large databases such as his are commonly accessed by many users from remote locations and are commonly provided on internet sites to facilitate easy access.

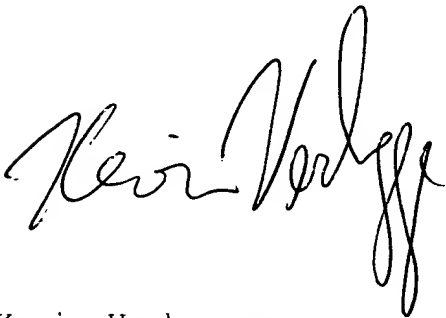
Regarding claim 11, Rubin only discloses LRU and MRU as methods for determining which entries to evict from the buffer caches, however it was known to use the claimed duration limit as a method of eviction (as admitted by Applicant in the admitted prior art). It would have been obvious to the skilled artisan to evict data based on duration in the cache since that method ensures that rapidly changing data will not be resupplied erroneously to a user.

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**Conclusion**

Any inquiry concerning this or an earlier communication from the Examiner should be directed to Kevin Verbrugge by phone at (703) 308-6663.

Any response to this action should be mailed to Commissioner for Patents, Washington, D.C. 20231 or faxed to (703) 308-9051 or -9052 and labeled "OFFICIAL" or "UNOFFICIAL" as appropriate. Hand-delivered responses should be brought to Crystal Park 2, 2121 Crystal Drive, Arlington, VA, 4th Floor (Receptionist).

A handwritten signature in black ink, appearing to read 'Kevin Verbrugge', with a stylized, cursive script.

Kevin Verbrugge

Primary Examiner

June 1, 2001